

GOVERNMENT OF TELANGANA  
ABSTRACT

Tribal Welfare Department – Telangana State - Bhadradri Kothagudem District – Issue of Local ST Agency Area Certificates under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department – Cancellation of Local ST Agency Area Certificate by the Collector & District Magistrate, Bhadradri Kothagudem vide Rc.No.D3/1093/2021, dated 24.04.2021 -Appeal filed by Amgothu Aruna D/o.Bikku, R/o:H.No.7-62, Kothuru, Pusugudem, Mulakalapally Mandal, Bhadradri Kothagudem District - Appeal Allowed – Orders – Issued.

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TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.11

Dated:28.02.2022

Read the following:-

1. G.O.Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Rc.No.D3/1093/2021, dated: 24.04.2021 of the Collector & District Magistrate, Bhadradri Kothagudem District.
3. Appeal petition filed by Amgothu Aruna D/o Bikku, R/o:H.No.7-62, Kothuru, Pusugudem, Mulakalapally Mandal, Bhadradri Kothagudem District, dated. 21.5.2021 received through the Endt.No. 1864/M/(STW, W&CW), dated: 31.05.2021.
4. Govt. Memo No. 682/TW.LTR/2021, dated 16.07.2021.
5. Lr.Rc.No.A1/DD(TW)/341/2021, dated 06.08.2021 received from PO,ITDA, Bhadrachalam and Chairman DLSC.
6. Govt. Notice No. 682/TW.LTR/2021, dated 23.08.2021.

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ORDER:

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Bhadradri Kothagudem District in his orders in the reference 2<sup>nd</sup> read above, has rejected the claim of Amgothu Aruna D/o Bikku R/o. H.No.7-62, Kothuru, Pusugudem of Mulakalapally Mandal, Bhadradri Kothagudem District and cancelling the ST Local Agency Certificate bearing No.C/218/2018, dated 03.08.2018 issued to her by the Tahsildar, Mulakalapally – summary of which is as follows:

- District Educational Officer, Khammam in his Lr.Rc.No. 3230/A5/TRT-17/2017, dated 14.11.2019 has communicated the list of (41) candidates (with note orders of the District Collector, Khammam) who are provisionally selected as TRT SGT (E.M) and requested the Project Officer, ITDA, Bhadrachalam to verify the LSTs as per G.O.Ms.No.24., dated 12.6.2018
- In the Lr.Rc.No.A1/DD(TW)/1704/2019, dated 04.03.2021, the Project Officer, ITDA Bhadrachalam and Chairman DLSC has reported that Agency Area Certificates have been verified by the Committee (DLSC) in the light of GO Ms.No.24, dated 12.6.2018.
- Out of (41) candidates, (37) candidates LSTs have been accepted and (4) candidates have been rejected, of which (3) candidates belong to Bhadradri Kothagudem District.

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- DLSC reported that Land Tax receipt 1956, applicant's great grandfather Sy.No.273, Ac.06.24 gts situated at Pusugudem village has been re-verified with Demand Registers. The land receipt is not admissible. Hence rejected.
- As per guidelines issued in G.O.Ms.No.24, TW (LTR.1) Department, dated 12.06.2018, the following documents are prescribed for consideration as evidence.
  - a) Birth and Death Registers since 26.01.1950.
  - b) Electoral Roll Registers since 26.01.1950.
  - c) Sale Deed Documents for agriculture since 26.01.1950.
  - d) School record.
  - e) Any other acceptable document as evidence.
- According to G.O.Ms.No.3, SW (TW.Edn.II) Department, dated 10.01.2000 "the Local ST candidate means, the candidates belonging to the Scheduled Tribes notified as such under Article 342 of the Constitution of India and the candidates themselves or their parents have been continuously residing in the Scheduled Areas of the Districts in which they were residents till to date since 26.01.1950".
- In the instant case, the applicant has furnished the ST Local Agency Area Certificate while mentioning the residential details since 1956 which itself reflects that they are not residing since 1950.
- Since the applicant failed to produce any evidence to prove the continuous presence of themselves or their parents as stated above, the DLSC opined that the local schedule tribe candidate certificate issued in favour of the applicant is not genuine.
- As per the recommendation of the Project Officer, ITDA, Bhadrachalam & Chairman, DLSC, the ST Local Agency Certificate issued to the Appellant is cancelled duly declaring that she does not belong to local scheduled tribe candidate in terms of G.O.Ms.No.3, SW (TW.EDN.II) Department, dated 10.01.2000. The Tahsildar concerned is hereby directed to take necessary action and report compliance.
- A notification to this effect shall be published in the District Gazette ordinary.

3. Aggrieved by the above orders of the Collector & District Magistrate, Bhadrachalam Kothagudem District, the Appellant Amgoth Aruna D/o Bikku has submitted a representation dated.21.05.2021 in the reference 3<sup>rd</sup> read above and stating that the DLSC has rejected her claim of belonging to local ST category and prayed to consider her case by ordering of local enquiry.

4. Government after careful examination has admitted the said representation as an Appeal under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department and copy of the appeal was sent to the Collector & District Magistrate, Bhadrachalam Kothagudem with a request to submit the connected record along with para-wise remarks in the reference 4<sup>th</sup> read above.

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5. In compliance, in the reference 5<sup>th</sup> read above, the Project Officer, ITDA, Bhadrachalam & Chairman DLSC has submitted the connected documents of the case along with remarks.

6. In the reference 6<sup>th</sup> read above, a Notice has been issued to the Appellant to attend for hearing on 28.08.2021 at 2.00 PM before the Government to prove her claim along with documentary evidences. Accordingly, the Appellant Amgoth Aruna D/o Bikku has attended for hearing on 28.08.2021 and submitted certain documents in support of her claim that she belongs to the Local ST category of Agency Area in Bhadradri Kothagudem District (erstwhile Khammam District).

7. On perusal of the record in file bearing No.C/218/2018 of Mulkalapally Mandal sent by Project Officer, ITDA Bhadrachalam/Deputy Director(TW) Bhadrachalam through email on 16.8.2021 and also the documents submitted/produced by the Appellant before the Government, it is found that the District Collector, Bhadradri Kothagudem has cancelled the Local ST Certificate of the Appellant on the ground that the Land Tax Receipt 1956 produced by the Appellant before the DLSC in respect of her great grandfather for the land admeasuring acs.06.24 gts situated in Sy.No.273 of Pusugudem village has been re-verified with Demand Registers and that the land receipt is not admissible.

8. In support of her claim that she belongs to the Agency Area Local ST candidature, the Appellant has submitted the following documents:

- i) Pattedar Pass Book bearing Patta No.10 issued to Smt.Amgoth Dwali W/o Bicha (paternal grandmother) by the Mandal Revenue Officer, Mulkalapalli for the extents acs.0.36 gts in Sy.No.260/12 and acs.1.37 gts in Sy.No.273/48.
- ii) Electoral Roll for the year 1983 – 275 Burgampahad (ST) Assembly Constituency – wherein name of Sri Buchiya Amgoth S/o Tulisya (grandfather of appellant) was recorded at Sl.No.541 under H.No.2-75 of Pusugudem village, Polling Station No.118.
- iii) Copy of letter Rc.No.C/275/2020, dated 21.10.2020 addressed by the Tahsildar, Mulkalapally to the Project Officer, ITDA, Bhadrachalam stating that their office has issued the certificate basing on 1) voter list of 1983 wherein name of Amgoth Jagya S/o Thulisya (younger brother of grandfather 2) Patta issued to Amgoth Dwali W/o Bicha (paternal grandmother) 3) pedigree of the family 4) local enquiry and statements of village elders recorded by him and that the case is a genuine one.
- iv) Gram Panchayat, VK.Ramavaram (Mulkalapally Mandal) Resolution dated 13.08.2021, wherein it was declared that Smt Amgoth Aruna and her ancestors are the continuous residents of Kothur village in Mulkalapally Mandal doing agriculture labour from before 1950, name of her grandmother was recorded in revenue records for an extent of acs.1.37 gts in Sy.No.273/48 and her family tree is as follows:
  - Amgoth Tulisya is great grandfather. He has four sons namely 1) Sukya 2) Bicha (grandfather of appellant) 3) Mangya and 4) Jagna. Sri Bicha i.e. grandfather of

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appellant has two sons namely 1) Bhikku (father of appellant) and 2) Bhadru. Father of appellant anemly Bhikku has two children i.e. 1) Aruna (daughter and appellant herein) and 2) Pavan Kalyan (son).

9. Government after careful examination of the evidences available on record and facts mentioned in the report of the Tahsildar, Mulkalapally in his letter dated 21.10.2020, Resolution of the Gram Panchayat, VK Ramavaram of Mulkalapally Mandal and other documents produced by the Appellant, Smt Amgoth Aruna D/o Bhikku R/o Kothur-Pusugudem of Mulkalapali Mandal in Bhadradri Kothagduem is found as Agency Area Local Scheduled Tribe candidate.

10. Therefore, the Appeal filed by Amgoth Aruna D/o Bhikku R/o Kothur, Pusugudem of Mulkalapally Mandal is allowed, setting aside orders of the Collector & District Magistrate, Bhadradri Kothagudem in Procs.Rc.No.D3/1093/2021, dated 24.04.2021 and declaring the Local ST Area Agency Certificate bearing No.C/218/2018, dated 03.08.2018 issued by the Tahsildar, Mulkalapally Mandal is valid.

11. The Collector and District Magistrate, Bhadradri Kothagudem District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT

To

The Collector and District Magistrate, Bhadradri Kothagudem  
District (By RPAD)

Amgothu Aruna D/o Bikku R/o. H.No.7-62, Kothuru, Pusugudem,  
Mulkalapally Mandal, Bhadradri Kothagudem District (By RPAD)

Copy to:

The Secretary, Telangana State Public Service Commission,  
Hyderabad (for information & necessary action)

The Commissioner & Director of School Education, Hyderabad  
(for information & necessary action)

The Project Officer, ITDA & Bhadrachalam, Bhadradri Kothagudem  
District (for information & necessary action)

The District Educational Officer, Khammam District  
(for information & necessary action)

The District Educational Officer, Bhadradri Kothagudem District  
(for information & necessary action)

The Deputy Director (TW), Bhadrachalam, Bhadradri Kothagudem  
District.

The PS to Hon'ble Minister for ST Welfare for information.

The PS to Secretary (TW)

The PS to Special Secretary (TW)

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER